

UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF VIRGINIA

PROOF OF CLAIM

Name of Debtor: **CIRCUIT CITY STORES, INC.**Case Number: **08-35653**

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.

Name of Creditor (the person or other entity to whom the debtor owes money or property):
COMPASS GROUP, U.S.A., INC.

☒ Check this box to indicate that this claim amends a previously filed claim.

Name and address where notices should be sent:
COMPASS GROUP, U.S.A., INC.
ATTN: LYNNE FORESMAN
2400 YORKMONT ROAD, CHARLOTTE, NC 28217
Telephone number: **(704) 328-7715**

Court Claim Number: _____
(If known)

Filed on: 1/30/09

Name and address where payment should be sent (if different from above):

Telephone number:

☐ Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

☐ Check this box if you are the debtor or trustee in this case.

1. Amount of Claim as of Date Case Filed: \$ 120,000.71

If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.

If all or part of your claim is entitled to priority, complete item 5.

☐ Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.

2. Basis for Claim: **GOODS, SERVICES AND CLIENT INVESTMENTS -SEE ATTACHED**
(See instruction #2 on reverse side.)

3. Last four digits of any number by which creditor identifies debtor: _____

3a. Debtor may have scheduled account as: _____
(See instruction #3a on reverse side.)

4. Secured Claim (See instruction #4 on reverse side.)

Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.

Nature of property or right of setoff: ☐ Real Estate ☐ Motor Vehicle ☐ Other
Describe:

Value of Property: \$ _____ Annual Interest Rate _____ %

Amount of arrearage and other charges as of time case filed included in secured claim,

if any: \$ _____ Basis for perfection: _____

Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____

5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.

Specify the priority of the claim.

☐ Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

☐ Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4).

☐ Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).

☐ Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7).

☐ Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).

☐ Other - Specify applicable paragraph of 11 U.S.C. § 507(a)().

Amount entitled to priority:

\$ _____

*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.

7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See definition of "redacted" on reverse side.)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

Date:

4/22/09

Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.

*Compas Group USA, Inc.,
Lynne Foreman, Attorney for Compas Group USA, Inc.*

FOR COURT USE ONLY

Attachment A to Compass Group USA, Inc. Proof Claim
Circuit City Stores, Inc. – Case No. 08-35653

On August 13, 2004, Compass Group USA, Inc. (“Compass”) and Circuit City Stores, Inc. (“Debtor”) entered into a Food Services Agreement wherein Compass provided food services and management of food services operations for the Debtor utilizing equipment and personnel. On June 30, 2006 and on October 12, 2006, Debtor and Compass amended the Food Services Agreement wherein Compass provided client investment funds to the Debtor for development of food services locations and/or for the purchase of equipment.

Compass originally filed a Proof of Claim dated January 29, 2009 in the amount of \$215,502.68 that included Compass equipment held by Debtor in the amount of \$95,801.97. The Debtor has returned the equipment to Compass so this amended Proof of Claim reflects a reduction in the Proof of Claim amount to \$120,000.71. A copy of the original Proof of Claim is attached.